

REMARKS

Claims 1 - 10 are pending in the present application. By this Amendment, claims 1 and 9 have been amended. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated March 5, 2004.

Claim Rejections - 35 U.S.C. §112, First Paragraph, Rejection:

Claims 1-10 are rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

This rejection is respectfully traversed.

In response to Applicant's last Amendment dated December 24, 2003, in which we amended the claims to correspond with the principle object of the present invention regarding determining the movement data of a pointing device, the Examiner takes the following position with regard to Applicant's amendments:

Although the specification does mention a position indicator comprising a pressure sensor, when the position indicator is moved in the air, the elastic film pushes the air, and takes out the reaction as a voltage. The direction of this mechanical stress vector depends on the movement of the director of the Position indicator...(pages 4, lines 16-22). There is no support for that limitation "the position indicator for detecting movement of a pointing device by moving the position indicator in the air, comprising: a pressure sensor to detect a reaction of air due to the movement of the pointing device". Furthermore, there is no support for the limitation the "pointing device" in claim 1 and 9.¹

¹ Please see the bridging paragraph between pages 2 and 3 of the outstanding Action.

That is, the Examiner takes the position that the claimed term "pointing device" is not supported by the original specification. As such, the term "pointing device" has been replaced in each of claims 1 and 9 with the term "position indicator."

Therefore, it is respectfully submitted that claims 1 and 9 have been amended to overcome this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

In view of the aforementioned amendments and accompanying remarks, the claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is believed that this application is not in condition for allowance, Examiner is encouraged to contact the Applicant's undersigned attorney at the telephone number below to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitionS for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

By: 
Thomas E. Brown
Reg. No.: 44,450
Attorney for Applicant
Tel: (202) 822-1100
Fax: (202) 822-1111

TEB/jl